

# City of Bainbridge Island

## NOTICE OF INTENT TO OBTAIN CUSTODY

### Vessel “Ruth-less” with Washington Registration # WN3917Z.

The City of Bainbridge Island (“Entity”) declared the vessel “*Ruth-less*” with Washington Registration WN3917Z, as derelict or abandoned. The vessel is anchored in Manzanita Bay, Bainbridge Island, WA.

Entity, acting as an authorized public entity with the authority granted in RCW 79.100, intends to take custody of the vessel on **February 18, 2022**. After taking custody of the vessel, Entity may use or dispose of it without further notice to the owner.

**In order to keep the vessel, before the Custody Date, the owner must:**

- Remove the vessel from the waters of the City of Bainbridge Island including the Public dock, **and**
- Move it to an anchorage area, moorage facility, or storage location that authorizes the vessel.

If the owner wants to reclaim the vessel after Entity has custody, or wants to challenge Entity’s decision to take custody, the owner must file a written appeal with the Pollution Control Hearings Board (PCHB) and serve a copy on Entity.

Addresses are in the boxes below:

<b>Pollution Control Hearings Board</b> (send one original and one copy)		<b>City of Bainbridge Island</b> 625 Winslow Way E. Bainbridge Island WA 98110
<b>Physical address:</b>	1111 Israel Road Tumwater, WA 98501	
<b>Mailing address:</b>	PO Box 40903 Olympia, WA 98504-0903	
<b>Phone:</b>	360-664-9160	

The appeal must include the following information:

- A copy of this notice or a copy of the notification letter to the owner.
- Your name and address (mailing and legal, if different) and, if applicable, the name and address of your representative.
- A daytime phone number.
- A brief statement why you are appealing.
- A statement of what you want the Pollution Control Hearings Board to do.
- Your signature or that of your representative. This signature certifies that the content of the appeal is true.

See [www.eho.wa.gov/Documents/Pamphlet\\_PCHB.pdf](http://www.eho.wa.gov/Documents/Pamphlet_PCHB.pdf) or call the PCHB at the number above with appeal questions.

The owner may submit the appeal immediately, but the PCHB must receive it no later than **March 21, 2022 (Appeal Date)**. The owner waives the right to a hearing if the PCHB does not receive an appeal on or before the Appeal Date. The owner is then liable for any costs incurred by Entity in responding to the vessel.

These costs may include all administrative costs incurred by Entity, removal and disposal costs, and costs associated with environmental damages directly or indirectly caused by the vessel. If there is a lawsuit, the successful party may receive reasonable attorneys’ fees and costs.

Entity also may pursue any other remedies available under law. For example, Entity may take temporary possession of the vessel under the circumstances described in the Revised Code of Washington (RCW) 79.100.040(3). You can find a copy of this law online at <http://apps.leg.wa.gov/RCW/default.aspx?cite=79.100>.

For more information, contact Tami Allen, Harbormaster at Bainbridge Island Police Department at 206.780-3733 or e-mail [tallen@bainbridgewa.gov](mailto:tallen@bainbridgewa.gov).